

110TH CONGRESS  
1ST SESSION

# S. 2124

To direct the Secretary of Agriculture to convey certain land in the Beaverhead-Deerlodge National Forest, Montana, to Jefferson County, Montana, for use as a cemetery.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 1, 2007

Mr. BAUCUS (for himself and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To direct the Secretary of Agriculture to convey certain land in the Beaverhead-Deerlodge National Forest, Montana, to Jefferson County, Montana, for use as a cemetery.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Montana Cemetery Act  
5       of 2007”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

1 (1) COUNTY.—The term “County” means Jef-  
 2 ferson County, Montana.

3 (2) MAP.—The term “map” means the map  
 4 that is—

5 (A) entitled “Elkhorn Cemetery”;

6 (B) dated May 9, 2005; and

7 (C) on file in the office of the Beaverhead-  
 8 Deerlodge National Forest Supervisor.

9 (3) SECRETARY.—The term “Secretary” means  
 10 the Secretary of Agriculture.

11 **SEC. 3. CONVEYANCE TO JEFFERSON COUNTY, MONTANA.**

12 (a) CONVEYANCE.—Not later than 180 days after the  
 13 date of enactment of this Act and subject to valid existing  
 14 rights, the Secretary (acting through the Regional For-  
 15 ester, Northern Region, Missoula, Montana) shall convey  
 16 by quitclaim deed to the County for no consideration, all  
 17 right, title, and interest of the United States, except as  
 18 provided in subsection (e), in and to the parcel of land  
 19 described in subsection (b).

20 (b) DESCRIPTION OF LAND.—The parcel of land re-  
 21 ferred to in subsection (a) is the parcel of approximately  
 22 9.67 acres of National Forest System land (including any  
 23 improvements to the land) in the County that is known  
 24 as the “Elkhorn Cemetery”, as generally depicted on the  
 25 map.

1 (c) USE OF LAND.—As a condition of the conveyance  
 2 under subsection (a), the County shall—

3 (1) use the land described in subsection (b) as  
 4 a County cemetery; and

5 (2) agree to manage the cemetery with due con-  
 6 sideration and protection for the historic and cul-  
 7 tural values of the cemetery, under such terms and  
 8 conditions as are agreed to by the Secretary and the  
 9 County.

10 (d) EASEMENT.—In conveying the land to the County  
 11 under subsection (a), the Secretary, in accordance with  
 12 applicable law, shall grant to the County an easement  
 13 across certain National Forest System land, as generally  
 14 depicted on the map, to provide access to the land con-  
 15 veyed under that subsection.

16 (e) REVERSION.—In the quitclaim deed to the Coun-  
 17 ty, the Secretary shall provide that the land conveyed to  
 18 the County under subsection (a) shall revert to the Sec-  
 19 retary, at the election of the Secretary, if the land is—

20 (1) used for a purpose other than the purposes  
 21 described in subsection (c)(1); or

22 (2) managed by the County in a manner that  
 23 is inconsistent with subsection (c)(2).

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